

### **REMARKS**

Applicants reply to the Office Action dated August 10, 2006 within the shortened three-month statutory period for reply. The Examiner rejects claims 1-18 and 24 in the subject application. Applicants amend claim 1. Claims 1-24 are pending in the application and claims 19-23 are withdrawn from consideration. Support for the various amendments may be found in the originally filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

The Examiner rejects claims 1-17 as being anticipated by Kitamura, U.S. Patent No. 6,704,421 ("Kitamura"). The Examiner also rejects claim 18 as being obvious over Kitamura in view of Saito, U.S. Patent No. 3,766,547 ("Saito"). Applicants respectfully traverse these rejections.

Although Applicants disagree with the Examiner's arguments, to expedite prosecution of this application, Applicants amend independent claim 1 to now recite "so as to correct any discrepancies in the relationship between the acoustic signal and the image signal being reproduced together". Support for such amendment can be found at, for example, page 32, lines 5-7.

For example, with reference to at least Figure 1A, the signal processing apparatus **1a** includes a memory **4** for storing a plurality of filter coefficients for correcting the acoustic signal **AS**, a filter coefficient selection section **3** for receiving the correction command from outside the signal processing apparatus **1a** and selecting at least one of the plurality of filter coefficients stored in the memory **4** based on the correction command, and a correction section **5** for correcting the acoustic signal **AS** using the at least one filter coefficient selected by the filter coefficient selection section **3** (see, for example, page 18, lines 18-27). Therefore, the advantage associated with the signal processing apparatus **1a** is that it allows the viewer/listener **8** to listen to the sound which is matched to the image displayed by the image display apparatus **7** through the headphones. As a result, the viewer/listener **8** does not notice any discrepancies in a relationship between the image and the sound (see, for example, page 31, line 31 - page 32, line 7).

In contrast, Kitamura discloses an automatic multi-channel equalization control system that accommodates varying audio formats. In particular, the advantage associated with the invention as disclosed by Kitamura is that it would automatically recognize a preferred equalization requirement

and automatically adjust equalization of the audio to provide a proper multi-channel audio output for the computer system (see col. 1, line 66 - col. 2, line 11). Therefore, it is clear to a skilled person that the objectives and advantages of the present invention and that of Kitamura are entirely different.

The Examiner alleges that the filter stage **70** and the control parameters **50** of Kitamura (see Fig. 3) are analogous to the "correction section" and the "filter coefficients", respectively, as recited in claim 1. However, Applicants respectfully assert that the filter stage **70** has not been found to correct the audio signal from channel 1 using the control parameters **50** so as to correct any discrepancies in the relationship between the audio signal from channel 1 and a video signal being reproduced together. In particular, according to Kitamura, the filter stage **70** receives output data **72** as a stream of digital samples from the compression stage **68** and parametric equalization control data **50**, and outputs filtered audio signal **73**. The parametric equalization control data **50** is preferably 8 to 64 dB values, thereby indicating attenuation levels for each frequency band. More specifically, the parametric filter block **70** equalize each audio channel in accordance with the equalizer control values from the equalizer template (see col. 5, line 64 - col. 6, line 13 of Kitamura). For example, the types of equalizer template available are classical music, rock music, etc (see col. 7, lines 33-40). However, Kitamura has not been found to teach or suggest that the parametric equalization control data **50** are used to correct any discrepancies in the relationship between the audio signal from channel 1 and a video signal being reproduced together.

Moreover, Applicants assert that, although Kitamura may disclose, "the video processor **22** sends synchronization information or channel select information for multiple audio tracks or multiple language tracks through the control line **32**" (see col. 4, lines 18-21 of Kitamura), such disclosure does not teach or suggest amended claim 1. In particular, such "synchronization information" has only been disclosed to be sent from the video processor **22** and has not been disclosed to be analogous to the parametric equalization control data **50** throughout the entire disclosure of Kitamura.

Therefore, Kitamura fails to disclose or suggest at least "a correction section for correcting the acoustic signal using the at least one filter coefficient selected by the filter coefficient selection

section so as to correct any discrepancies in the relationship between the acoustic signal and the image signal being reproduced together,” as recited by independent claim 1.

Claims 2-17 and 24 variously depend from independent claim 1, so Applicants assert that claims 2-17 and 24 are differentiated from the cited references for at least the reasons set forth above, in addition to their own respective features.

Furthermore, Applicants respectfully assert that the Examiner must consider the references as a whole, and it is well established that it is impermissible to pick and choose only so much as will support a given position to the exclusion of other parts necessary to the full appreciation of what such reference fairly teaches or suggests. *Bausch & Lomb, Inc. v. Bares-Mind/Hydrocurve*, 230 U.S.P.Q. 416, 419 (Fed. Cir. 1986) (citing *In re Wesslau*, 147 U.S.P.Q. 391, 393 (CCPA 1965)). See also, *In re Fritch*, 23 U.S.P.Q.2d 1780, 1783-84 (Fed. Cir. 1992) (One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.); *In re Mercier*, 185 U.S.P.Q. 774, 778 (CCPA 1,975) (all the relevant teaching of the cited reference must be considered in determining what they fairly teach to one having ordinary skill in the art) (emphasis original); *In re Wesslau* 353 F.2d 238, 241 (CCPA 1965).

In deciding the issue of anticipation, the Examiner must identify the elements of the claims, determine their meaning in *light of the specification* and prosecution history, and identify *corresponding elements* disclosed in the allegedly anticipating reference (emphasis added, citations in support omitted).

Applicants also assert that Saito has not been found to make up for the deficiencies of Kitamura in arriving at claim 1. Therefore, neither Kitamura, Saito, nor any combination thereof, disclose or suggest at least “a correction section for correcting the acoustic signal using the at least one filter coefficient selected by the filter coefficient selection section so as to correct any discrepancies in the relationship between the acoustic signal and the image signal being reproduced together,” as recited by independent claim 1. Moreover, claim 18 depends from claim 1, so Applicants assert that claim 18 is differentiated from the cited references for the same reasons as set forth above, in addition to its own respective features.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. If an extension of time is necessary, please accept this as a petition therefore. Applicants invite the Examiner to telephone the undersigned if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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